

Attorney Docket No. 034017R010

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Expedited Procedure
AFTER FINAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Matthew Hayduk

Serial No.: 10/623,720

Group Art Unit: 3751

Filed: July 22, 2003

Examiner: Tawfik, Sameh

For: EXTERIOR CONFIGURATION OF A FOAM-IN-BAG DISPENSER ASSEMBLY

REQUEST FOR RECONSIDERATION

10 ENTER
ST 2/16/06

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Reconsideration of the Final Office Action of May 23, 2005 is respectfully requested.

Applicant notes with appreciation the Examiner's confirmation of allowable subject matter with respect to some of the dependent claims in the present application. However, as discussed below, the prior art rejection raised against all current independent claims (claims 1, 45, 46 and 47) in the final Office Action is respectfully traversed.

In the Office Action each of independent claims 1, 45, 46 and 47 were rejected as being considered anticipated by the Speedy Packer of Sealer Air Corporation User's Guide.

In the rejection of claim 1 there is set forth that the machine frame could be considered as a dispenser housing and that roller 22 is considered part of that frame housing and presents a smooth contact surface over all areas of the film. It is respectfully submitted that one of ordinary skill in the art would not have construed the roller as being a component of a housing when that term is given its proper customary meaning. That is, a housing is generally defined as anything that covers or protects as in a "casing". In the Office Action, in addition to the supporting frame structure, reliance is placed on the "dancing roller" 22 as a housing component. This assertion that dancing roller 22 would